

# Town of Canandaigua

5440 Routes 5 & 20 West  
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Canandaigua, NY 14424  
Fax (585) 394-9476

## ZONING BOARD OF APPEALS DECISION NOTIFICATION

**Public Hearing Opened:** May 17, 2022  
**Public Hearing Closed:** May 17, 2022

**Meeting Date:** May 17, 2022  
**Project:** CPN-21-099

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Brendan Wood	Brendan Wood	Side setback	3568 Co Rd 16	98.17-1-17.000
	3568 Co Rd 16	Front setback	Canandaigua	
	Canandaigua			

### Type of Application

- ☒ Area Variance      ☐ Use Variance  
☐ Interpretation      ☐ Rehearing

### Variance/Interpretation Requested

Applicant is requesting two Area Variances; 1) side setback of 4.3 feet when 12 feet is the minimum, 7.7-foot variance required 2) front setback of 34.8 when 60 feet is the minimum, 25.2-foot variance required.

**1) Shall the applicant be granted a 7.7 ft. side setback area variance? 2) Shall the applicant be granted a 25.2 ft front setback area variance?**

### Applicant Request

- ☒ Granted  
☐ Denied  
☐ Continued to:  
☐ See attached resolution(s)

### SEQR

- ☐ Type I  
☒ Type II  
☐ Unlisted  
☐ See Attached Resolution(s)  
Neg Dec Date:  
Pos Dec Date:

### #1 Voting:

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

## **#2 Voting:**

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

## **Reasons**

The Board's decision is based on description and drawings presented during the Public Hearing on May 17, 2022. As well as information received on December 17, 2021, March 8, 2022, and April 14, 2022. The benefit to the applicant does outweigh the detriment to the neighborhood, therefore the variance is granted. The variances will not change the character of the neighborhood as there are other properties with similar setbacks and lot coverages. The variance will increase the safety of the property by minimizing risk of falling on a steep driveway and improve safe access to Co Rd 16. Drainage on the property will be improved by the changes made to the driveway.

## **Conditions**

1. The variance granted is specific to the layout and site plan presented to the Zoning Board of Appeals dated April 14, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on a building permit being obtained within one (1) year of the date the variance is granted. Failure to obtain a building permit within one (1) year shall invalidate the variance.

Certified By: \_\_\_\_\_

Chip Sahler  
Chairperson of the Zoning Board of Appeals

Date: 5/23/22

CANANDAIGUA TOWN CLERK

MAY 23 2022

RECEIVED